G. R. S. IX-5]

Previous references.

Previous

1918. (LB) 17/1/18

File No. 54-18

Serial Nos. 8 14 18

Later references.

B59-28-18 1-6

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 8 14 18 C

Part B for January 1920

SUBJECT.

Rules relating to Local Boards under Local Boards Village panchayats Regn. VI of 1918

To the Compiler, Mr Attee President G.S. Bds 2871-82-9.04-2-20 Notifies the rules Relating to the term of office in respect of Boards copies of the same to the Presidents of G.S. Bs

W D 1250—GPB—30,000 28-1-19

Rehd 18/3/20

G. R. S. III—1] 1918

GENERAL AND REVENUE SECRETARIAT.

(LB)

NOTES.

File No.

FILE HEADING.

Rules relating to Local Boards under Local Boards & Village Panchayat Regulation

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P. F. 19

VD 1232—GPB—20,000—18-11-18

L.S. [illegible]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

1. Rule for the Conduct of proceedings at meetings of L. Bds.
2. Rules for the ~~Election~~ election of Presidents & Vice-Presidents.
3. Rules defining the powers of Prests & Vice-Prests.
4. Rules re. assignment of powers to Taluk Boards
5. Rules for the Guidance of Committees.

Draft rules under Sec 37 (4), 2(c) of the L.B. & V.G. Regn Rules under rule (5) of the same Section for the guidance of Committees are also drafted.

H.K.

2 / 1918

2 Please get the rules typed as usual.

8/4

3 Typed Copies of the rules are put up.

4 Sec 37 (c), of the L.B. & V.P. Regn empowers Govt to frame rules "as to the matters in regard to which and to the extent to which the orders of a Taluk Board shall be subject to appeal to or revision by the Dist Board."

5 Sec 14 of the said Regn empowers a Dist Bd to reverse or rescind resolutions of a Taluk Bd by a majority of ⅔ of the whole number. Under the

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GRSM. S1469.

G.R.S. III–3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The Secretary to Initiation is taken by the D.C.A.C.O. about the rules required to be framed relates to Conflicts referred to the D.A.C.O. by the Chairman.

Instructions are requested to draft rule on the subject.

H.K.

12.4.1918

5. The rules now put up are submitted for perusal and instructions.

2nd Memo

552/13.4.18

I think all rules

under the

Indian Army Act

will be

Hence draft rules were kept in relation to the Conflicts

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

ROUTINE NOTES.

GEN. REVENUE. PT
17 JAN 1919
D9754

To be used only for notes, requisitions, etc., not intended for permanent record.]

Sec 37 cl(b) { 1. Conduct of business at meetings A
2. Election of Pr. & Vice Pr. B
3. Powers of Pr. & V. Pr. C

Do cl(c) 4. Assignment of duties to Members D

Do cl(d) 5. relating to Contracts E

Do cl(e) 6. relating to Auditors F

Do cl(f) 7. appointment of Asst. Secy Fund. G

Do cl(g) 8. Rules for the guidance of Committees H

Sec 23(1)(ii) 9. Toll Rules - S

8. The Marginally noted sets of draft rules under the L.B. & V.P. Regn passed by the Asst. Secy & scrutinised by the Special Officer (Mr B.P. Rajagopalachar) are submitted herewith for approval or other orders

HK
17.1.1919

9 I have Examined them messrs and submit them for approval as noted

Revised) MK 6/2/19

Temp Member) 20/1/19 10.2.19 MK

10 Please call Mr Jamal Mohamed (flag A + B) - and please let me have this ~~at~~ the general meeting held around 11 Please send also draft Rules as a basis.

14/2 MK

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GRSM. SL.469.

D 97 Vol 1

G.R.S. III–3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

12. Answers to the queries are made noted before below the queries in the rule

13. Another set of the draft rules in question are placed in the file board linked to the

14. Resubd for os

HK
20/2/1919

'5

MM
20.2.19

Temp memo)

3184
21.2.19.

Rec'd 25.2.1919
HK

16. Please do further necessary

MM

). Remarks have been attended to. Resubmitted for orders.

HK
6.2.1919

MM
26/2/19

3351
27.2.19

Temp memo) 18. Have been attended

Rec'd 3/3

2/3/44

MM Please put these by pencil

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Form No 11758 L.A. 54-18-8
8/5-3-1919

GRSM. SL.469.

Notes made

L.B. 52.18

D 9754

G.R.S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Noted at pages 17-22 in Pt III of the Mysore Gazette 27-3-19

under Sub sec (b) (e), (f) & (j) – relating proceedings of Committees by Sec 37 of the L.B. & L. D. Act.

20. The spare copies of these have been received.

21. On comparing these copies of the rules with the (typed copies) the following discrepancies have been found for which the Press is chiefly responsible

Rules under Cl (b)

Heading. Proceedings of the meeting at L.B.'s should be Proceedings at the meeting of L.B.'s

Rule 6. In the marginal note 'Provisions' should be 'Provision'

This may remain as printed. May not be corrected.

Rule 10.

N.B.—Should routine notes be written on small slip the notes must be copied or slips pasted on this form.

G.R.S. III—3]

751

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Rule 10. In line 1 a res[illegible]
be substituted for [illegible]

Rule 18 The word words in the marginal note should be works and the comma after last but one line should be omitted

× This is according to the draft

III Powers of Boards [illegible]
and vice versâ

Rule 1(d) In line 2 its should be be

Rule 1(e). and shall be in Scotland between powers & allowances in the last line

Rule 2 (c) The semi-colon after 'succession' in line should be a comma

This is according to the typed copy Draft

Rules under cl (c)

Rule 2 (f) Board should be substituted for Fund

Rule under cl (e) the word in after portion should be of.

N.B.—Should routine notes be written on small slips the notes must be copied or slips pasted on this form.

D97/54.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Rule under cl(4). The word 'of' to be omitted before 'markets' in line 1 of cl (c)

Rules under cl(9)

Rule 4. The word "members" in line 3 should be in the singular

* This is according to draft

22 Necessary Corrections will be made on the spare copies.

23 Orders are solicited as to whether a Notn correcting the errors may be published.

24 The Toll Rules now in force have to be reissued under Sec 23(1)(iv) of the T & H & N.P's Regn Act. The rules should be issued to this member along with the other draft rules in the file. (Vide Flag) May the rules as it is now the orders of this member at page 4 of these notes whether the Toll Rules also may issue. Orders are solicited on the points as above.

21-5-1919

* the usual Gazette Notifn. Last three words rectified.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Please issue Notfn.

21/5/19

n-97521.

G.R.S. III—31

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record.]

25. Final Notice is sent
to the Secretary of the Orders
with the Main list of para 22 above

26. The Asst Secy has pleased to
say that he would abrogate the
Orders of the 3rd Member with refce
to para 24 above

HK. 27. Issue Amendment slip
26.5.19 and resubmit

27.5.19
OK

Notice No. 7 issued at 3 PM 27.5.19

Dt. 30th May 1919

Slips to contain Corrections
in the rules published under
Notice &c &c.

28 Resubmitted with
Reference to para 27 above

Submitted the file in pursuance the remarks at the
HK
30 19 last meeting.
The amendments to the
Regulations of Evidence (Army) Rules 1917
are now ready for signature. We suggest
N.B.—Should routine notes be written on small slips, that the notes must be copied, or slips pasted on this form.

MK
26/1/20

G. R. S. III-2]

General and Revenue Secretariat. | L/S File No. 54 of 1918.

Serial No. 15

Dr

The compiler supreme finalise
no R 8711 dated 4.2.18
supplies the rules relating
the levy of tolls on supra

Dr

the Residents Dt boards
no R 5711/2-9 dated 4.2.
forwards copy of the rules
supra.

NOTE—Contn. sheet.

Draft Rules under Clause (b) of Section 37 of the Local Boards and Village Panchayats Regulation.

Under clause (b)

I PROCEEDINGS at the ~~xxx~~ meetings of Local Boards.

Seem all right SJR

Rule 67.

1. At least 10 days' notice of all meetings shall be given to every member: Provided that that the annual budget estimate shall be circulated to all the members of the Board at least a fortnight before the date fixed for its consideration Provided also that the accidental failure of service of notice on any member shall not invalidate the proceedings of any meeting.

Do 68. Can it be assumed that [illegible] Subsidiary L.B. Rules Sec 32 (4)

2. The notice shall set forth clearly and fully the business to be transacted at the meeting, and no business other than that so stated shall be transacted except with the assent of the member present.

3. Every meeting shall be presided over by the President, if he is present at the time appointed for holding the same, and if he is absent by the Vice-President, and if both the President and Vice-President are absent, the members present shall choose one of their number to preside.

Note:
* Sections 24 and 26 relating to Levy of Railway Cess.
Quorum: ¾ths of the members present.

Rule Re: election of Vice-President. ½ the number of members for the time being of the Board.

4. No business shall be transacted at a meeting unless at least one-third of the whole number of members, except as otherwise provided for, are present from the beginning to the end of such meeting. If at the time appointed for a meeting or within half an hour thereafter, a quorum is not present, the presiding authority may adjourn the meeting to such hour on some future day as he may reasonably fix. At such adjourned meeting any number of members not being less than five will form the quorum.

5. All questions duly submitted to a Board shall be decided by a majority of votes. If the votes are equal, the President shall have a second or casting vote. Provided that the President shall not have a casting vote if his own election to any office or his own conduct to any matter connected with the Board is in question.

6. Every motion or amendment duly made and seconded and pressed to a division, shall be reduced to writing before being put to vote. Every such resolution or amendment shall be recorded in full in the Proceedings together with the number and names of voters for and against it.

7. No member of a Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the local area) he has any pecuniary interest.

Conduct of Business at Local Board meeting

8. The business at meetings of a Local Board shall, be conducted either in English or in Kannada as such Board may decide: Provided that if the Proceedings are conducted in English and if any of the members present do not understand English, it shall be the duty of the President to have the subject matter explained to them in Kannada.

9. The minutes of the Proceedings of a District Board shall be recorded in English. The minutes of the Proceedings of a Taluk Board shall be recorded either in English or in Kannada as may be decided by the Board.

10. No resolution of any Local Board shall be modified or cancelled within three months by such Board, except at a meeting specially convened in that behalf and by a resolution of such Local Board supported by not less than one-half of the whole number of the members then on such Board.

11. Every meeting shall be open to the public unless the presiding authority deems any enquiry or deliberation pending before the Board is such as should be held in private. ~~Provided that the said authority may at any time cause any person to be removed who interrupts the Proceedings.~~

12. The Proceedings of every meeting of a Board shall give the names of members present as well as those absent, and state whether an explanation of absence is forthcoming in every case.

Meetings of Local Boards.

Mysore Dis Rule 22.

2nd Members order on 32523/17. dt 15-4-1918 "BDs should meet at least once a month

13. (1) Every District Board shall meet not less than four times in the year; and a period exceeding four months shall not be allowed to lapse between ~~any~~ two consecutive meetings.

Do 23(4)

(2) Every Taluk Board shall meet not less than six times in the year; and a --- period exceeding three months shall not be allowed to lapse between any two consecutive meetings.

14. As a rule, before the close of each meeting of a Local Board, the date of the next ordinary meeting shall be fixed.

Do 23(1)

Special Meetings:

15. The President may call a meeting at any time when adequate necessity for doing so seems to have arisen, and he shall at any time call a meeting on the requisition in writing of not less than one-third of the members then on the Board: Provided that no such meeting shall be held unless a --- notice of the meeting specifying the time and place at which and the purpose for --- which it is to be held, has at least six days previous to the day of such meeting been sent to each of the members.

23(2)

~~16.~~ Suggestions from Govt.etc.

Do 32

16. When any suggestion in writing regarding any matter is received by a Local Board from Government or the Deputy Commissioner or the chief or senior officer for the District in the Educational, Medical or Public Works Department, or the Head of any such Department, it shall be laid before

the next meeting and fully considered, and a ~~former~~ resolution thereon shall be recorded.

Committees:

17. A Board may delegate any of their duties or powers to Committees consisting of such members as they think fit; and that any Committee so formed shall conform to any instructions that may from time to time be given to them by the Board, and the Board may at any time discontinue and alter the constitution of any Committee so formed.

The Works Committee:

18. A Local Board shall delegate to a committee, which shall be called "The Works Committee" and, shall consist of not less than three members, the duty of inspecting works in progress under such Board.

The Local Board may delegate to the Works Committee such other powers and --- duties as it thinks fit, either generally or with respect to any specified work or works not being executed for the Board by the Government Public Works Department.

11.4.1918

11/4

11 ~~Draft~~ Rules for the election of Presidents and Vice-presidents of Local Boards.

Copy containing the remarks of the Spl Dy Sec to Govt is attached

~~Under Section 37 (b) of the Mysore~~ Local Boards and Village Panchayats ~~Regulation~~, the Government of His Highness the Maharaja are pleased to prescribe the following rules for the election of the President or Vice -- President of a Local Board:-

(i) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Local Board or at the meeting held on a day not later than one month from the date of the Government Order, if the direction was given during the term of the existing Board as the case may be.

(iii) The election shall not be held unless at least half of the total number of members are present at the meeting.

(iv) Any member who desires or is willing to be elected must be proposed by one and seconded by another member present thereat.

(v) The election shall be decided by a majority of votes of the members present at the meeting and voting. If there is an equal number of votes in

notify his intention at the meeting and take part.

should not take part in election of Vice President unless he is present at the meeting

If not, it may be open to proposing or seconding member to withdraw his proposal or seconding

Subject to the rule IV

Vice President

in favour of each of two or more candidates the selection of one of them shall be made by lot by the presiding authority of the meeting in such manner as the Board at such meeting shall determine.

(vi) No vote given by a member for himself shall be counted.

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the District.

(viii) The Presiding authority shall also forward under his signature to the Deputy Commissioner minutes of the proceedings of the meeting in which shall be recorded:-

(a) The names of the members present.

(b) The names of proposer and seconder of each ~~member~~ candidate that stood for election.

(c) The names of the members voting respectively for each ~~member~~ candidate that stood for election.

Need to be discussed whether provision - Minutes of meeting

yes, Sir

(ix) The validity of election may be contested by a petition signed by at least three members and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from the date of election

election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof and for other sufficient cause.

(X) Upon receipt of such petition

(xi) After the expiry of seven days from the date of election or if any petition has been received after the close of an enquiry into the allegations contained therein. as prescribed in the preceding rule, the Deputy Commissioner should report the proceedings, with his opinion to Government who may pass such orders as they may think fit.

(xii) In the event of no election being made within the prescribed period. or the member or members elected not being approved, the President or the Vice-President or both shall be appointed by Government by nomination.

the Dy Comr shall enquire personally or by some other officer deputed by him into the validity of such objection or objections

NK
23.8.1918

M

Draft Rules for the election of Presidents and Vice-Presidents of LOCAL BOARDS.

Under Section 37(b) of the ---- Mysore Local Boards and Village Panchayats Regulation, the Government of His Highness the Maharaja are pleased to prescribe the following rules for the election of the President or Vice-President of a Local Board:-

(i) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Local Board or at the meeting held on a day not later than one month from the date of the Government Order, if the direction was given during the term of the existing Board as the case may be.

(iii) The election shall not be held unless at least half of the total number of members are present at the meeting.

(iv) Any member who desires or is willing to be elected must be proposed by one and seconded by another member.

(v) The election shall be decided by a majority of votes of the members present at the meeting and voting, the presiding authority having a second or casting vote in every case of an equality of votes.

8.1.1918
This rules for the Local Boards are attached. (Flag V).

I have made some changes in these rules to make them complete & self-sufficient. Rule xi which I have added is quite necessary. The D.C must wait for seven days to see if any petn is received & not-

SPR
19/8

This is somewhat unusual in Cases of election of P&VP's. Selection by lot in such manner as the meeting may determine would be less objectionable. Vide Mcl Pres & V P's election Rules SPR

be made by lot by the presiding authority
the meeting in such manner as the
~~equality of votes.~~ B'd at such meeting
shall determine.

(vi) No vote given by a member for himself shall be counted.

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the District ~~who shall report it to Government in due course.~~

(viii) The presiding authority shall also forward under his signature to the Deputy Commissioner minutes of the proceedings of the meeting in which shall be recorded:-

(a) The names of the members present

(b) The names of proposer and seconder of each ~~member~~ Candidate that stood for election.

(c) The names of the members voting respectively for each ~~member~~ Candidate that stood for election.

(ix) The validity of election may be contested by a petition signed by at least three members and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from date of electio and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof and for other sufficient cause.

(x) Upon receipt of such petition the Deputy Commissioner shall enquire personally or by some other officer deputed by him, into the validity of such objection or objections, and may thereupon report the matter to Government who may pass such orders as they may think fit.

(xi) In the event of no election being made within the prescribed period or the member or members not elected not being approved, the President or the Vice-President or both shall be appointed by Government by nomination.

XI After the expiry of seven days from the date of election or after the close of an enquiry into the allegations contained therein, as provided in the preceding rule, the D.C. should report the proceedings, with his opinion to Govt who may pass such orders as they think fit. Thereafter

(23)

Draft Rules under Clause (b) of Section 37 of the Local Boards and Village Panchayats Regulation.

Under Sec 37(b) of the L.B & V.P. Regn, 1918 the Govt of H.H the Maharaja are pleased to make the following rules determining the powers of the President & the Vice-President of a Local Boards defining

III Powers of Presidents and Vice-Presidents

forwarding remarks of the S/L (Dairy Officer) is invited.

(i) The President of a Board shall

(a) preside, unless prevented by reasonable cause, at the meetings of the Board;

(b) watch over the financial and executive administration of the Board and submit to the Board all questions connected therewith which shall appear to him to require its orders;

(c) exercise supervision and control over the acts and proceedings of all Officers and servants of the Board in matters of executive administration, and in matters concerning the accounts and records of the Board; and subject to the rules framed by Government under Sub-Section (1) of Section 21 of the Regulation to dispose of all --- questions relating to the service of the said officers and servants, and their pay, priveleges and allowances;

(d) furnish to the Deputy Commissioner or the Officer to whom the Deputy Commissioner has delegated his powers under Sub-Section (3) of Section 32 of the Regulation, a copy of every resolution passed at any meeting of the Board and any extract from the minute of the Board's proceedings or other document or thing which the Deputy Commissioner may call for under Section 32

(ii) The President of a Local Board shall have the custody of its proceedings and records.

(iii) The resolutions of a Local Board shall be carried into effect by its President, in whom the entire executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of the Local Boards Regulation and these Rules.

(iv) It shall be lawful for the President of a Local Board in cases of emergency to direct the execution of any work or the doing of any act which such Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public, and to direct that the expense of executing such work or doing such act, incurred as the emergency may require, shall be paid from the funds at the disposal of such Board: Provided that every direction given under this rule shall be reported at the next following meeting of the Board.

Powers of Vice-President:

It shall be the duty of a Vice-President of a Board (a) to exercise such of the powers and perform such of the duties of the President as the President from time to time deputes to him;

Powers of Vice-President:-

~~11,(a)~~ As soon as a Vice-President is appointed, the President shall, subject to the approval of Government, lay down definitely ~~definitely~~ what duties are ~~deputed~~ delegated by him to the Vice-President.

It shall be the duty of a Vice-President to excercise these ~~the~~ powers under the general control of the President.

(b) In the absence of the President and unless prevented by reasonable cause to preside at the meetings of the Board:

and (c) pending the succession; -- appointment or election of a President or during the absence of a President on leave, to excercise the powers and perform the duties of the Presidet

23-8-19 18

SPR

vide a few changes
SPR

Boundary Cls Act
Sec 28.

Draft Rules under Clause (b) of Section 37 of the Local Boards and Village Panchayats Regulation.

Powers of President:

The President of a Board shall

(1) (a) preside, unless prevented by reasonal cause, at the meetings of the Board;

(b) watch over the financial and executiv administration of the Board and submit to the Board all questions connected therewit which shall appear to him to require its orders;

(c) exercise supervision and control over the acts and proceedings of all Officers and servants of the Board in matters of executive administration, and in matters concerning the accounts and records of the Board; and subject to the rules framed by Government under Sub-Section (1) of Sectio 21 of the Regulation to dispose of all --- questions relating to the service of the said officers and servants, and their pay, priveleges and allowances;

(d) furnish to the Deputy Commissioner or the Officer to whom the Deputy Commissioner has delegated his powers under Sub-Section (3) of ~~the~~ Section 32 of the Regulation, a copy of ~~the~~ every resolution passed at any meeting of the Board and any ~~extract~~ from the minute of the Board's proceedings, or other document or thing which the Deputy Commissioner may call for under Section 32.

I have made a slight change in the next ~~page~~ - It seems necessary that the Pres^t should be required to depute certain matters to the V. P's. The complaint of V.P's generally is that no definite work is assigned to them
SPR
19/8

(e)

Repeats Rule 33

(ii) The President of a Local Board shall have the custody of its proceedings and records.

No 34

(iii) The resolutions of a Local Board shall be carried into effect by its President, ~~im~~ whom the entire executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of the Local Boards & Village Councils Regulation and these Rules.

No 35

(iv) It shall be lawful for the President of a Local Board in cases of emergency to direct the execution of any work or the doing of any act which such Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public. and to direct that the expense of executing such work or doing such act, incurred as the emergency may require, shall be paid from the funds at the disposal of such Board: Provided that every direction given under this rule shall be reported at the next following meeting of the Board.

Repeats Rule Regn See 25

Powers of Vice-President:

It shall be the duty of a Vice-President ~~of a Board (a)~~ to exercise ~~such of~~ the powers ~~and perform such of the duties of the President~~ as the President from time to time deputes to him;

(a) 1. As soon as a Vice-Pres^t is appointed the Pres^t shall, subject to the control of G.I.C. lay down briefly what duties are delegated by him to the V.P. -

under the General Co...

(b) in the absence of the President and unless prevented by reasonable cause to preside at the meetings of the Board;

and (c) pending the succession, ~~appoint~~ appointment or election of a President or during the absence of a President on leave, to exercise the powers and perform the duties of the President.

11.4.1918

11/4

Provisionally approved by the 2nd member on the 30.5.1917 in C.S.G.O.T. no 12-16.

(X) File containing orders of 2nd member (now deceased) 5 pages. (Dlg 12-16)
MK
17.1.19

DRAFT RULES UNDER SUB-SECTION (c) OF SECTION 37 OF THE ~~LOCAL~~ BOARDS AND VILLAGE PANCHAYATS REGULATION.

Under Clause (c)

In addition to the duties assigned by Section 10(i) of the Regulation to Taluk Boards as Corporate bodies, any District Board may assign by a formal resolution and with the sanction of Government all or any of the following functions to the Taluk Boards within the District:-

(a) Control over markets and slaughter-houses.

(b) Control over Musafirkhanas and rest houses, and cart-stands.

(c) Control over such cattle pounds as are not assigned to Village Panchayats.

(d) Planting and care of avenue trees ~~trees~~ on roads in the control of Taluk Boards.

(e) Construction and maintenance of such village and other roads as do not fall within the jurisdiction of Village Panchayats.

(f) Opening and closing of Vaidyasalas.

(g)

(g) Provision of water-supply for drinking purposes in villages not under the control of Village Panchayat

(h) Purchase and maintenance of breeding bulls.

(i) Holding of cattle shows.

(j) Conservancy and sanitary arrangements at fairs and festivals.

(k) Conservancy and sanitation of areas not within the jurisdiction of Village Panchayats (including destruction of snakes and dogs, deportation of monkeys etc.)

(l) V a c c i n a t i o n.

(m) Lighting of public roads.

(n) Making grants-in-aid to Village Panchayats.

Any District Board may at its discretion and by a formal resolution and with the sanction of Government assign to the Taluk Boards all or any of the following functions as agents of the District Board.

(a) Control over primary schools.

(b) Control over rural dispensaries (including Veterinary dispensaries)

(c) Maintenance of public gardens and buildings.

(d) Working out details in connection with the administration of the Irrigation Cess Fund.

(e) Inspection of Minor Muzrai institutions.

Rules under clause ~~(d) of Section~~ 37 of the Local Boards and Village Panchayats Regulation. under Clause (d)

Contracts to be ordinarily in writing. and Stamp and Registration Laws to be complied with.

Bombay LB Rules 120

Contracts entered into by a Local Board, ~~or by a Taluk Board as the agent of the District Board,~~ for shall ordinarily be reduced to writing. and the provisions of the laws relating to Stamps and Registratio shall be complied with.

Written contracts to be signed by President ~~or Chairman~~.

Bombay LB Rules 41 (Signed' should be 'assigned' Sub-s now been corrected)

2. Written contracts shall be ~~a~~signed on behalf of a Local Board by the President

Mode of executing transfers of property.

Bombay Sch. B. Form No. 12 Page 150

3. Every transfer of immovable property vested in a Board shall be made by an instrument under the common seal, signed by the President, and by two of the members of the Board, and the fact that the transfe is signed with the Sanction of Government shall be distinctly expressed.

Authority for payment of money from Local Funds.

Bombay LB Sec 50 Page 124

4. Subject to the provision of Sections 34, 35 and 36 ~~number of~~ no payment shall be made from the Government Treasury ~~a t~~ out of a Local Fund signed by the President of the Local Board.

Except upon a cheque

NK
23.8.19 IX

Rules under clause (e) of section 37 of the Local Boards and Village Panchayat Regulation.

Under clause (e)

The appointment of auditors of the accounts of the Local Boards will be made by the Comptroller and entertained in his office. The charges pertaining to this establishment shall, in the -- first instance, be disbursed from State Funds and such portion of these charges as may from time to time, be fixed by Government shall be ratably levied from the several District Boards.

NK
23.8.60

Rules under clause (f) of Section 37 of the Local Boards and Village Panchayats Regulation.

Under Clause (f)

One-half of the Local cess levied in a Taluk shall be placed to the -- credit of the Taluk Board of that Taluk.

2. Any District Board may by a formal resolution and with the sanction of Government assign all or any of the following items of revenue to the Taluk Boards within the District, the assignment of revenue depending on the functions assigned to the Taluk Boards under rules under See 37 clause (c), ~~above~~.

(a) Fines and surplus sale proceeds of cattle, under the Cattle Trespass Act, 1871, as amended by Regulation VIII of 1892.

(b) Rents and fees leviable under section 38 (a) and (b).

c) Fees for the temporary use of cart-stands and of markets, market sites, village-sites, and other similar public places on the occasion of fairs and festivals.

Clause

~~Rules framed~~ Under ~~Section 37~~(j) ~~of the Local Boards and Village Panchayats Regulation~~, for the guidance of Committees. ----------

Vide remarks next page
SPR

Bombay LSG Act
Sec 32(7)

A Committee may elect a Chairman of their meetings, and if no such Chairman is elected or if he is not present at the time appointed for holding any meeting, the members present shall ---- choose one of their members to be Chairman of such meeting.

do Sec 32(8)

2. A Committee may meet and adjourn as they think proper, but the President of the Board may, whenever he thinks fit, and shall, upon the written reques of not less than two members of a Committee call a special meeting of such Committee.

do Sec 32(9)

3. Questions at any meeting of a Committee shall be decided by a majority of Votes of the members present, and, in case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the Committee are present from the beginning to the end thereof.

do Sec 32(11)

4. The minutes shall be kept of the names of the members present and absent and of the Proceedings at each meeting of the Committee, and, if any members present at the meeting so desire, of the

names of the members voting respectively for or against any resolution in a book to be provided for the purpose, which shall be signed, as soon as practicable, by the Chairman of such meeting and shall at all reasonable times be open to inspection by any member of the Board or by any inhabitant of the District.

5. During any vacancy in the ~~Board~~ Committee, the continuing members may act as if no vacancy had occurred.

6. It shall be a standing instruction to the Works Committee that one or more members thereof shall visit every work in progress at least once in ~~ex~~ every month: Provided that if the work is being executed for the Local Board by the Government Public Works Department, any complaint, observation or suggestion which the Committee, on the report of the visiting member or members, may desire to make, shall be communicated by the Chairman of the Committee, without delay, in writing to the Government Executive Engineer who shall, to the best of his ability give effect to the Committee's recommendation, unless there is a good cause for not doing so.

Bombay LB Act to see 32(12)(b)

Bombay LB Rule 2. Appx A. 2nd para.

This does not seem practicable -

In this matter, I am framing a set of complete rules. If there is no objection, this rule may be omitted here & pen

SPR 19/8

B.O

MC 11/4

HMK 11-4-1918

To The Compiler, Mysore Gazette, for publication in DC III of the Gazette with the request that 300 spare copies may be sent to the Secretary.

for Secy to Govt Rev Dept P.T.O.

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S.I 14-5-1917.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

Bangalore, Dated 15-3- *1917.*

No. 11758
C&S 52-18-8

NOTIFICATION.

The Government of His Highness the Maharaja are pleased to issue the following rules under clauses (b),(c),(d),(e),(f), and (j) of Section 37 of the Mysore Local Boards and Village Panchayats Regulation, VI of 1918.

UNDER CLAUSE (b)

I. Proceedings at the meeting of Local Boards.

Notice of Meetings.

1. At least 10 days' notice of all meetings shall be given to every member: Provided that that the annual budget estimate shall be circulated to all the members of the Board at least a fortnight before the date fixed for its consideration. Provided also that the accidental failure of service of notice on any member shall not invalidate the proceedings of any meeting.

Agenda.

2. The notice shall set forth clearly and fully the business to be transacted at the meeting, and no business other than that so stated shall be transacted except with the assent of the members present.

President to preside at meetings

3. Every meeting shall be presided over by the president, if he is present at the time appointed for holding the same and if he is absent by the Vice-President, and if both the President and Vice-President are absent, the members present shall choose one of their number to preside.

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Quorum 4. No business shall be transacted at a meeting unless at least one-third of the whole number or members, except as otherwise provided for, are present from the beginning to the end of such meeting. If at the time appointed for a meeting or within half an hour thereafter, a quorum is not present, the presiding authority may adjourn the meeting to such hour on some future day as he may reasonably fix. At such adjourned meeting any number of members not being less than five will form the quorum.

Decision by majority 5. All questions duly submitted to a Board shall be decided by a majority of votes. If the votes are equal, the President shall have a second or casting vote. //Provided that the President shall not have a casting vote if his own candidature election to any office or his own conduct to any matter connected with the Board is in question.

Proposition to be reduced to writing 6. Every motion or amendment duly made and seconded and ~~proposed~~ to a ~~decision~~ division, shall be reduced to writing before being put to vote. Every such resolution or amendment shall be recorded in full in the Proceedings together with the number and names of ~~xxxx~~ voters for and against it.

Interested in subject 7. No member of a Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the ~~xxxx~~ local area) he has any pecuniary interest.

~~Conduct of Business at Local Board meetings~~

Language of proceedings of Board 8 The business at meetings of a Local Board shall, be conducted either in English or in Kannada as such Board may decide: Provided that if the Proceedings are conducted in English and if any of the members present do not understand English, it hall be the duty of the President to have the subject matter explained to them in Kannada.

Minutes of proceedings of Board 9. The minutes of the Proceedings of a District Board shall be recorded in English. The minutes of the proceedings

a Taluk Board shall be recorded either in English or in Kannada as may be decided by the Board

Modification or Cancellation of resolution

10. No resolution of a Local Board shall be modified or cancelled within three months by such Board, except at a meeting specially convened in that behalf and by a resolution of such Local Board supported by not less than one-half of the whole number of the members then on such Board.

Meetings to be public.

11. Every meeting shall be open to the public unless the presiding authority deems any enquiry or deliberation pending before the Board is such as should be held in private

Names of members present and those present to be recorded.

12. ~~Every meeting shall~~ The Proceedings of every meeting of a Board shall give the names of members present as well as those absent, and state whether an explanation of absence is forthcoming in every case.

~~Meetings of Local Boards.~~

Boards when to meet.

13. (1) Every District Board shall meet not less than four times in the year; and period exceeding four months shall not be allowed to lapse between any two consecutive meetin

(2) Every Taluk Board shall meet not less than six times in the year; and a period exceeding three months shall not be allowed to lapse between any two consecutive meetings.

Date of meetings.

14. As a rule, before the close of each meeting of a Local Board, the date of the next ordinary meeting shall be fixed.

~~Special Meetings.~~

Special meetings

15. The President may call a meeting at any time when adequate necessity for doing so seems to have arisen, and he shall at any time call a meeting on the requisition in writing of not less than one-third of themembers then on the Board: Provided that no such meeting shall be held unless a notice of the meeting specifying the time and place at ~~which~~ which and the purpose for which it is to be held, has at least six days previous to the day of such meeting been sent to each of the members.

F 41

Suggestions how Local Boards to be considered at next meetings

18. When any suggestion in writing regarding any matter is received by a Local Board from Government or the Deputy Commissioner or the chief or senior officer for the District in the Educational Medical or Public Works Department, or the Head of any such Department, it shall be laid before the next meeting and fully considered and a resolution thereon shall be recorded.

~~Committees:-~~

Boards may delegate functions to Committees

17. A Board may delegate any of their duties or powers to Committees consisting of such members as they think fit; and that any Committee so formed shall conform to any instructions that may from time to time be given to them by the Board, and the Board may at any time discontinue and alter the constitution of any Committee so formed

~~The Works Committee:~~

Appointment of Works Committee

18. A Local Board shall delegate to a committee which shall be called "The Works Committee" and shall consist of not less than three members, the duty of inspecting works in progress under such Board.

The Local Board may delegate to the Works Committee such other powers and duties as it thinks fit, either generally or with respect to any specified work or the works not being executed for the Board by the Government Public Works Department.

II. RULES FOR THE ELECTION OF PRESIDENTS AND VICE-PRESIDENTS OF LOCAL BOARDS.

~~Under~~ The Government of His Highness the Maharaja are pleased to prescribe the following rules for the election of the President or Vice-President of a Local Board:-

(1) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Local Board or at the meeting held on a day not later than ~~xxxx~~ one month from the date of the Government order if the direction was given during the term of the existing Board as the case may be

(iii) The election shall not be held unless at least half of the ~~xxxx~~ total number of members are present at the meeting.

(iv) Any member who desires or is willing to be elected must notify his intention at the meeting and he must be proposed by one and seconded by another member present thereat.

(v) The election shall be decided by a majority of votes of the members present at the meeting and voting. If there is an equal number of votes in favour of each of two or more candidates the selection of one of them shall be made by lot by the presiding authority of the meeting in such manner as the board at such meeting shall determine.

(vi) No vote given by a member for himself shall be counted

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the District.

(viii) The Presiding Authority shall also forward under his signature to the Deputy Commissioner ~~of the District~~. minutes of the proceedings of the meeting in which shall be recorded:--

(a) The names of the members present

(b) The names of proposer and seconder of each candidate that stood for election.

~~x(c)~~

(ix) The validity of election may be contested by a petition signed by at least three members and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from the date of election and shall allege specific grounds for setting aside the ~~xx~~ election on account of material irregularity in the conduct thereof and for other sufficient ~~xxx~~ cause.

(x) Upon receipt of such petition, the Deputy Commissioner shall enquire personally or by some other officer deputed by him

into the validity of such objection or objections.

(xi) After the expiry of seven days from the date of election or if any petition has been received after the close of an enquiry time into the allegations contained therein, as prescribed in the preceding rule, the Deputy Commissioner should report the proceedings with his opinion to Government who may pass such orders as they may think fit.

(xii) In the event of no election being made within the prescribed period, or the member or members elected not being approved the President or the Vice-President or both shall be appointed by Government by nomination.

III. POWERS OF PRESIDENTS AND VICE-PRESIDENTS.

1. (i) (a) The President of a Board shall preside, unless prevented by reasonable cause, at the meetings of the Board;

(b) watch over the financial and executive administration of the Board and submit to the Board all questions connected therewith which shall appear to him to require its orders;

(c) exercise supervision and control over the acts and proceedings of all officers and servants of the Board in matters of executive administration and in matters concerning the municipal accounts and records of the Board; and subject to the rules framed by ~~Government~~ Government under sub-section (1) of Section 21 of the Regulation to dispose of all questions relating to the service of the said officers and servants, and their pay, privileges and allowances;

(d) furnish to the Deputy Commissioner or the Officer to whom the Deputy Commissioner has delegated the powers under sub-section (2) of Section 32 of the Regulation, a copy of every resolution passed at any meeting of the Board and any extract from the minute of the Board's proceedings or other document or thing which the Deputy Commissioner may call for under Section 30.

(ii) The President of a Local Board shall have the custody of its proceeding and ~~xxxxxxx~~ records.

(iii) The resolutions of a Local Board shall be carried into effect by its President, in whom the entire executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of the Local Boards and Village Panchayats Regulation and these Rules.

(iv) It shall be lawful for the President of a Local Board in cases of emergency to direct the execution or any work or the doing of any act which such Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public, and to direct that the expense of executing such work or doing such act, ~~incurred~~ incurred as the emergency may require, shall be paid from the fund at the disposal of such Board; Provided that every direction so given under this rule shall be reported at the next following meeting of the Board.

~~POWERS OF VICE-PRESIDENTS.~~

Functions of Vice-President

12 - As soon as a ~~Vice-Presidentship~~ Vice-President is appointed, the President shall, subject to the approval of Government lay down definitely what duties are delegated by him to the Vice-President It shall be the duty of a Vice-President

(a) to exercise these powers under the general control of the President,

(b) ~~In~~ In the absence of the President and unless prevented by reasonable cause to preside at the meetings of the Board; and

(c) pending the ~~succession~~ appointment or election of a President or during the absence of a President on leave, to exercise the powers and perform the duties of the President.

UNDER CLAUSE (c)

Powers which Boards can assign to Sub Boards

In addition to the duties assigned by Section 10 (i) of the Regulation to Taluk Boards as Corporate bodies any District

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District Board may assign by a formal resolution and with the sanction of Government all or any of the following functions to the Taluk Boards within the District:--

(a) Control over markets and slaughter houses.

(b) Control over Dharmasatrams and rest houses, and cart-stands

(c) Control over such cattle pounds as are not assigned to Village Panchayats.

(d) Planting and care of avenue trees on roads in the control of Taluk Boards.

(e) Construction and maintenance of such village and other roads as do not fall within the jurisdiction of village Panchayats.

(f) Opening and closing of the Vaidyasalas.

(g) Provision of water-supply for drinking purposes in villages not under the control of Village Panchayats.

(h) Purchase and maintenance of breeding bulls.

(i) Holding of cattle shows.

(j) Conservancy and Sanitary arrangements at fairs and festivals.

(k) Conservancy and sanitation of areas not within the jurisdiction of village Panchayats (including destruction of snakes and dogs, deportation of monkeys etc.)

(l) V a c c i n a t i o n.

(m) Lighting of public roads.

(n) Making grants-in-aid to Village Panchayats.

2 Any District Board may at its discretion and by a formal resolution and with the sanction of Government assign to the Taluk Boards as agents of the District Board, all or any of the following functions. :-----

(a) Control over primary schools

(b) Control over rural dispensaries (including Veterinary dispensaries.)

(c) Maintenance of public gardens and buildings.

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(d) Working out details in connection with the administration of the Irrigation Cess Fund.

(e) Inspection of Minor Mineral institutions.

(f) Any other function not directly undertaken by the District Board.

UNDER CLAUSE (d)

Contracts to be ordinarily in writing and Stamp and Registration Laws to be complied with:—

2. Contracts entered into by a Local Board, shall ordinarily be conducted in writing, and the provisions of the law relating to Stamps and Registration shall be complied with.

Written Contracts to be signed by President

3. Written contracts shall be signed on behalf of a Local Board by the President.

Mode of executing transfers of property.

4. Every transfer of immovable property vested in a Board shall be made by an instrument under the common seal, signed by the President and by two of the members of the Board, and the fact that the transfer is signed with the sanction of Government shall be distinctly expressed.

Authority for payment of money from local funds.

5. Subject to the provision of sections 34, 35 and 53 no payment shall be made from the Government Treasury out of a Local Fund except upon a cheque signed by the President of the Local Board.

UNDER CLAUSE (f)

Audit of accounts

The appointment of auditors of the Local Boards will be made by the Controller to be entertained in his office. The charges pertaining to this establishment shall, in the first instance, be disbursed from State funds and such portion of these charges as may from time to time, be fixed by Government shall be actually levied from the several District Boards.

UNDER CLAUSE (f)

Apportionment of funds

One-half of the Local Cess levied in a Taluk shall be placed to the credit of the Taluk Board of that Taluk.

2. Any District Board may by a formal resolution and with the sanction of Government assign any of the following sources of revenue to the Taluk Boards within the District, the assignment of revenue depending on the functions assigned to the Taluk Boards under rules under section 37 clause (c).

(a) Fines and surplus sale proceeds of cattle under the Cattle Trespass Act, 1871, as amended by Regulation VIII of 1880.

(b) Rents and fees leviable under section 38 (a) and (b).

(c) Fees for the temporary temporary use of cart-stands and markets, market sites, village-sites, and other similar public places on the occasion of fairs and festivals.

UNDER CLAUSE (j), (for the guidance of Committees)

Committees' meetings to be presided over by a Chairman

A Committee may elect a Chairman of their meetings, and if no such Chairman is elected, or if he is not present at the time appointed for holding any meeting, the members present shall choose one of their members to be Chairman of such meeting

Committees to meet when necessary & Chairman's powers

2. A Committee may meet and adjourn as they think proper, but the President of the Board may whenever he thinks fit, and shall upon the written request of not less than two members of a Committee call a special meeting of such Committee.

Decisions at Committees' meetings shall be decided by a majority of votes

3. Questions at any meeting of a Committee shall be decided by a majority of votes of the members present, and in case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the Committee are present from the beginning to the end thereof.

Minutes of proceedings of Committees to be kept

4. The minutes shall be kept of the names of the members present and absent and of the Proceedings at each meeting of the Committee, and if any members present at the meeting so desires of the names of the members voting respectively for or against any resolution

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in a book to be provided for the purpose, which shall be signed, as soon as practicable, by the Chairman of such meeting and shall at all reasonable times be open to inspection by any member of the Board or by any inhabitant of the District.

Vacancy not to affect continuing members to act.

5. During any vacancy in the ~~Council~~ Committee the continuing members may act as if no vacancy had occurred.

[signature]

14/3/19

~~Secretary~~ to Government,

Revenue Department.

14-3-1919

To

The Compiler, Mysore Gazette, for publication in part III of the Gazette with the request that 300 spare copies may be sent to the Secretariat.

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BANGALORE, THURSDAY, MARCH 27, 1919.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 11758—L. B. 54-18-8, dated 15th March 1919.

The Government of His Highness the Maharaja are pleased to issue the following rules under clauses (*b*), (*c*), (*d*), (*e*), (*f*) and (*j*) of Section 37 of the Mysore Local Boards and Village Panchayets Regulation, VI of 1918:—

UNDER CLAUSE (*b*).

I. Proceedings at the meeting of Local Boards.

1. At least ten days' notice of all meetings shall be given to every member: Provided that the annual budget estimate shall be circulated to all the members of the Board at least a fortnight before the date fixed for its consideration. Provided also that the accidental failure of service of notice on any member shall not invalidate the proceedings of any meeting.

Notice of meetings.

2. The notice shall set forth clearly and fully the business to be transacted at the meeting, and no business other than that so stated shall be transacted except with the assent of the members present.

Agenda.

3. Every meeting shall be presided over by the President, if he is present at the time appointed for holding the same and if he is absent by the Vice-President, and if both the President and Vice-President are absent, the members present shall choose one of their number to preside.

President to preside at meetings.

4. No business shall be transacted at a meeting unless at least one-third of the whole number of members, except as otherwise provided for, are present from the beginning to the end of such meeting. If at the time appointed for a meeting or within half an hour, thereafter a quorum is not present, the presiding authority may adjourn the meeting to such hour on some future day as he may reasonably fix. At such adjourned meeting any number of members not being less than five will form the quorum.

Quorum.

5. All questions duly submitted to a Board shall be decided by a majority of votes. If the votes are equal, the President shall have a second or casting vote.

Decision by majority.

Provided that the President shall not have a casting vote, if his own election to any office or his own conduct or any matter connected with the Board is in question.

6. Every motion or amendment duly made and seconded and pressed to a division, shall be reduced to writing before being put to vote. Every such resolution or amendment shall be recorded in full in the Proceedings together with the number and names of voters for and against it.

Propositions to be reduced to writing.

7. No member of a Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the local area) he has any pecuniary interest.

Interested member not to vote.

8. The business at meetings of a Local Board shall be conducted either in English or in Kannada as such Board may decide: Provided that if the Proceedings are conducted in English and if any of the members present do not understand English, it shall be the duty of the President to have the subject matter explained to them in Kannada.

Language of Proceedings of Board.

9. The minutes of the Proceedings of a District Board shall be recorded in English. The minutes of the Proceedings of a Taluk Board shall be recorded either in English or in Kannada, as may be decided by the Board.

Language of minutes of Proceedings of Board.

10. No resolution of any Local Board shall be modified or cancelled within three months by such Board, except at a meeting specially convened in that behalf and by a resolution of such Local Board supported by not less than one-half of the whole number of the members then on such Board.

Modification or cancellation of resolutions.

11. Every meeting shall be open to the public unless the presiding authority deems any enquiry or deliberation pending before the Board is such as should be held in private.

Meetings to be public.

12. The proceedings of every meeting of a Board shall give the names of members present as well as those absent, and state whether an explanation of absence is forthcoming in every case.

Names of members absent and those present to be specified.

13. (1) Every District Board shall meet not less than four times in the year; and a period exceeding four months shall not be allowed to lapse between any two consecutive meetings.

Boards when to meet.

(2) Every Taluk Board shall meet not less than six times in the year, and a period exceeding three months shall not be allowed to lapse between any two consecutive meetings.

14. As a rule, before the close of each meeting of a Local Board the date of the next ordinary meeting shall be fixed.

Dates of meetings.

15. The President may call a meeting at any time when adequate necessity for doing so seems to have arisen, and he shall at any time call a meeting on the requisition in writing of not less than one-third of the members then on the Board: Provided that no such meeting shall be held unless a notice of the meeting specifying the time and place at which and the purpose for which it is to be held, has at least six days previous to the day of such meeting been sent to each of the members.

Special meetings.

Suggestions from Government, etc., to be considered at next meeting.

16. When any suggestion in writing regarding any matter is received by a Local Board from Government or the Deputy Commissioner or the Chief or Senior Officer for the district in the Educational, Medical or Public Works Department, or the Head of any such department, it shall be laid before the next meeting and fully considered and a resolution thereon shall be recorded.

Board may delegate their functions to Committees.

17. A Board may delegate any of their duties or powers to Committees consisting of such members as they think fit; and that any Committee so formed shall conform to any instructions that may from time to time be given to them by the Board, and the Board may at any time discontinue and alter the constitution of any Committee so formed.

Appointing of a Work/ Committee.

18. A Local Board shall delegate to a Committee, which shall be called "The Works Committee" and shall consist of not less than three members, the duty of inspecting works in progress under such Board.

The Local Board may delegate to the Works Committee such other powers and duties as it thinks fit, either generally or with respect to any specified work or works not being executed for the Board by the Government/ Public Works Department.

II. Rules for the Election of Presidents and Vice-Presidents of Local Boards.

The Government of His Highness the Maharaja are pleased to prescribe the following rules for the election of the President or Vice-President of a Local Board:—

(i) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Local Board or at the meeting held on a day not later than one month from the date of the Government Order, if the direction was given during the term of the existing Board as the case may be.

(iii) The election shall not be held unless at least half of the total number of members are present at the meeting.

(iv) Any member, who desires or is willing to be elected must notify his intention at the meeting and he must be proposed by one and seconded by another member present thereat.

(v) The election shall be decided by a majority of votes of the members present at the meeting and voting. If there is an equal number of votes in favour of each of two or more candidates, the selection of one of them shall be made by lot by the presiding authority of the meeting in such manner as the Board at such meeting shall determine.

(vi) No vote given by a member for himself shall be counted.

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the district.

(viii) The presiding authority shall also forward under his signature to the Deputy Commissioner, minutes of the proceedings of the meeting in which shall be recorded:—

(*a*) The names of the members present.

(*b*) The names of proposer and seconder of each candidate that stood for election.

(ix) The validity of election may be contested by a petition signed by at least three members and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from the date of election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof and for other sufficient cause.

(x) Upon receipt of such petition, the Deputy Commissioner shall enquire personally or by some other officer deputed by him into the validity of such objection or objections.

(xi) After the expiry of seven days from the date of election, or, if any petition has been received after the close of an enquiry into the allegations contained

therein; as prescribed in the preceding rule, the Deputy Commissioner should report the proceedings with his opinion to Government, who may pass such orders as they may think fit

(xii) In the event of no election being made within the prescribed period, or the member or members elected not being approved, the President or the Vice-President of both shall be appointed by Government by nomination.

III. Powers of Presidents and Vice-Presidents

Functions of Presidents.

(a) The President of a Board shall preside, unless prevented by reasonable cause, at the meetings of the Board;

watch over the financial and executive administration of the Board and submit to the Board, all questions connected therewith, which shall appear to him to require its orders;

exercise supervision and control over the acts and proceedings of all officers and servants of the Board in matters of executive administration, and in matters concerning the accounts and records of the Board; and subject to the rules framed by Government under sub-section (2) of Section 21 of the Regulation to dispose of all questions relating to the service of the said officers and servants and their pay, privileges, allowances

(d) furnish to the Deputy Commissioner or the Officer to whom the Deputy Commissioner has delegated its powers under sub-section (3) of Section 32 of the Regulation a copy of every resolution passed at any meeting of the Board and any extract from the minute of the Board's proceedings or other document or thing which the Deputy Commissioner may call for under Section 32.

The President of a Local Board shall have the custody of its proceedings and records.

iii) The resolutions of a Local Board shall be carried into effect by its President, in whom the entire executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of the Local Boards and Village Panchayets Regulation and these rules.

(iv) It shall be lawful for the President of a Local Board in cases of emergency to direct the execution of any work or the doing of any act which such Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public, and to direct that the expense of executing such work or doing such act incurred as the emergency may require, shall be paid from the funds at the disposal of such Board; Provided that every direction given under this rule shall be reported at the next following meeting of the Board.

Functions of Vice-Presidents.

2. As soon as a Vice-President is appointed, the President shall, subject to the approval of Government lay down definitely what duties are delegated by him to the Vice-President It shall be the duty of a Vice-President

(a) to exercise these powers under the general control of the President,

(b) in the absence of the President and unless prevented by reasonable cause to preside at the meetings of the Board; and,

(c) pending the succession, appointment or election of a President or during the absence of a President on leave, to exercise the powers and perform the duties of the President

UNDER CLAUSE (

District Boards may assign certain functions to Taluk Boards.

In addition to the duties assigned by Section 10 (2) of the Regulation to Taluk Boards as Corporate bodies any District Board may assign by a formal resolution and with the sanction of Government all or any of the following functions to the Taluk Boards within the district

(a) Control over markets and slaughterhouses

(b) Control over musafirkhanas and rest-houses, and cart-stands.

(c) Control over such cattle-pounds as are not assigned to Village Panchayets

(*d*) Planting and care of avenue trees on roads in the control of Taluk Boards.
(*e*) Construction and maintenance of such village and other roads as do not fall within the jurisdiction of Village Panchayets.
(*f*) Opening and closing of the Vaidyasalas.
(*g*) Provision of water-supply for drinking purposes in villages not under the control of Village Panchayets.
(*h*) Purchase and maintenance of breeding bulls.
(*i*) Holding of cattle shows.
(*j*) Conservancy and sanitary arrangements at fairs and festivals.
(*k*) Conservancy and sanitation of areas not within the jurisdiction of Village Panchayets (including destruction of snakes and dogs, deportation of monkeys, etc.).
(*l*) Vaccination.
(*m*) Lighting of public roads.
(*n*) Making grants-in-aid to Village Panchayets.

2. Any District Board may at its discretion and by a formal resolution and with the sanction of Government assign to the Taluk Boards, as agents of the District Board, all or any of the following functions:—

(*a*) Control over Primary Schools.
(*b*) Control over rural dispensaries (including Veterinary Dispensaries).
(*c*) Maintenance of public gardens and buildings.
(*d*) Working out details in connection with the administration of the Irrigation Cess Fund.
(*e*) Inspection of Minor Muzrai institutions.
(*f*) Any other function not directly undertaken by the District ~~Fund~~ Board.

UNDER CLAUSE (*d*).

Contracts to be ordinarily in writing and Stamp and Registration Laws to be complied with.

Contracts entered into by a Local Board shall ordinarily be reduced to writing, and the provisions of the laws relating to stamps and registration shall be complied with.

Written contracts to be signed by President.

2. Written contracts shall be signed on behalf of a Local Board by the President.

Mode of executing transfers of property.

3. Every transfer of immovable property vested in a Board shall be made by an instrument under the common seal, signed by the President and by two of the members of the Board, and the fact that the transfer is signed with the sanction of Government shall be distinctly expressed.

Authority for payment of money from Local Funds.

4. Subject to the provision of Sections 34, 35 and 36 no payment shall be made from the Government Treasury out of a Local Fund except upon a cheque signed by the President of the Local Board.

UNDER CLAUSE (*e*).

Audit of accounts.

The appointment of auditors of the accounts of the Local Boards will be made by the Comptroller and entertained in his office. The charges pertaining to this establishment shall, in the first instance, be disbursed from State Funds and such portion ~~in~~ these charges as may, from time to time, be fixed by Government shall be ratably levied from the several District Boards.

UNDER CLAUSE (*f*).

Apportionment of funds.

One-half of the Local cess levied in a taluk shall be placed to the credit of the Taluk Board of that taluk.

2. Any District Board may by a formal resolution and with the sanction of Government assign all or any of the following items of revenue to the Taluk Boards

within the district the assignment of revenue depending on the functions assigned to the Taluk Boards under rules under Section 37, clause (c)

(a) Fines and surplus sale proceeds of cattle under the Cattle Trespass Act, 1871, as amended by Regulation VIII of 1892.

(b) Rents and fees leviable under Section 38 (a) and

(c) Fees for the temporary use of cart-stands and of markets, market-sites, village-sites, and other similar public places on the occasion of fairs and festivals.

UNDER CLAUSE (j) [FOR THE GUIDANCE OF COMMITTEES].

Committee meetings to be presided over by a Chairman

A Committee may elect a Chairman of their meetings, and if no such Chairman is elected, or if he is not present at the time appointed for holding any meeting, the members present shall choose one of their members to be Chairman of such meeting.

Committees to meet when they think proper.

2. A Committee may meet and adjourn as they think proper, but the President of the Board may, whenever he thinks fit, and shall upon the written request of not less than two members of a Committee, call a special meeting of such Committee.

Questions at committees' meetings shall be decided by a majority of votes.

Questions at any meeting of a Committee shall be decided by a majority of votes of the members present, and in case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the Committee are present from the beginning to the end thereof.

Minutes of proceedings of committees to be kept.

4. The minutes shall be kept of the names of the members present and absent and of the Proceedings at each meeting of the Committee, and if any members present at the meeting so desires of the names of the members voting respectively for or against any resolution in a book to be provided for the purpose, which shall be signed, as soon as practicable, by the Chairman of such meeting and shall at all reasonable times be open to inspection by any member of the Board or by any inhabitant of the district.

Vacancy not to affect committees' proceedings.

5. During any vacancy in the Committee the continuing members may act as if no vacancy had occurred.

By Order,

B. RAMASWAMAIYA,

Secretary to Government,

Revenue Department.

G. R. S. VI—G/32] 5 Copies

SUBJECT.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
(
, *the* 191 .

Published at pages 17-22 in Mysore Gazette dt 27-3-19

Section L8
File No. 54-18
Serial No. 8

No. 11758 9/5/3/19

Date of issue.....1/5/3/19.....

Signed by.....

~~To~~ Notification

The Govt of H H the Maharaja are pleased to issue the following rule, under Clauses (b), (c), (d), (e), (f) and (j) of Sec 37 of the Mysore Local Boards and Village Panchayats Regulation, VI of 1918.

over.

G.R.S.M. 2M—14-5-1917.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

Bangalore, Dated 15.1.3. 1919.

1175-8

No. LB 54-18-8

NOTIFICATION.

The Government of His Highness the Maharaja are pleased to issue the following rules under clauses (b),(c),(d),(e),(f), and (j) of Section 37 of the Mysore Local Boards and Village Panchayats Regulation, VI of 1918.

UNDER CLAUSE (b)

I. Proceedings at the meeting of Local Boards.

1. At least 10 days' notice of all meetings shall be given to every member: Provided that that the annual budget estimate shall be circulated to all the members of the Board at least a fortnight before the date fixed for its consideration. Provided also that the accidental failure of services of notice on any member shall nd invalidate the proceedings of any meeting.

2. The notice shall set forth clearly and fully the business to be transacted at the meeting, and no business other than that so stated shall be transacted except with the assent of the members present.

3. Every meeting shall be prescribed over by the president, if he is present at the time appointed for holding the same and if he is absent by the Vice-President, and if both the President and Vice-President are absent, the members present shall choose one of their number to preside.

4. No business shall be transacted at a meeting unless at least one-third of the whole number of members, except as otherwise provided for, are present from the beginning to the end of such meeting. If at the time appointed for a meeting or within half an hour thereafter, quorum is not present, the presiding authority may adjourn the meeting to such hour on some future day as he may reasonably fix. At such adjourned meeting any number of members not being less than five will form the quorum.

5. All questions duly submitted to a Board shall be decided by a majority of votes. If the voted are equal, the President shall have a second or casting vote. // Provided that the President shall not have a casting vote if his own ~~conduct~~ election to any office or his own conduct to any matter connected with the Board is in question.

6. Every motion or amendment duly made and seconded and ~~pressed~~ put to a decision, shall be reduced to writing before being put to vote. Every such resolution or amendment shall be recorded in full in the Proceedings together with the number and names of ~~the~~ voters for and against it.

7. No member of a Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the ~~such~~ local area) he has any pecuniary interest.

Conduct of Business at Local Board meetings.

8. The business at meetings of a Local Board shall, be conducted either in English or in Kannada as such Board may decide: Provided that if the Proceedings are conducted in English and if any of the members present do not understand English, it hall be the duty of the President to have the subject matter explained to them in Kannada.

9. The minutes of the Proceedings of a District Board shall be recorded in English. The minutes of the proceedings of

a Taluk Board shall be recorded either in English or in Kannada as may be decided by the Board.

10 No resolution of any Local Board shall be modified or cancelled within three months by such Board, except at a meeting specially convened in that behalf and by a resolution of such Local Board supported by not less than one-half of the whole number of the members then on such Board.

11. Every meeting shall be open to the public unless the presiding authority deems any enquiry or deliberation pending before the Board is such as should be held in private.

12. The Proceedings of every meeting of a Board shall give the names of members present as well as those absent, and state whether an explanation of absence is forthcoming in every case.

Meetings of Local Boards.

13. (1) Every District Board shall meet not less than four times in the year; and a period exceeding four months shall not be allowed to lapse between any two consecutive meetings.

(2) Every Taluk Board shall meet not less than six times in the year; and a period exceeding three months shall not be allowed to lapse between any two consecutive meetings.

14. As a rule, before the close of each meeting of a Local Board, the date of the next ordinary meeting shall be fixed.

pecial Meetings.

15. The President may call a meeting at any time when adequate necessity for doing so seems to have arisen, and he shall at any time call a meeting on the requisition in writing of not less than one-third of themembers then on the Board: Provided that no such meeting shall be held unless a notice of the meeting specifying the time and place at which and the purpose for which it is to be held, has at least six days previous to the day of such meeting been sent to each of the members.

Suggestions from Government etc.

16. When any suggestion in writing regarding any matter is received by a Local Board from Government or the Deputy Commissioner or the chief or senior officer for the District in the Educational Medical or Public Works Department, or the Head of any such Department, it shall be laid before the next meeting and fully considered and a resolution thereon shall be recorded.

Committees:-

17. A Board may delegate any of their duties or powers to Committees consisting of such members as they think fit; and that any Committee so formed shall conform to any instructions that may from time to time be given to them by the Board, and the Board may at any time discontinue and alter the constitution of any Committee so formed

The Works Committee:

18. A Local Board shall delegate to a committee which shall be called "The Works Committee" and shall consist of not less than three members, the duty of inspecting works in progress under such Board.

The Local Board may delegate to the Works Committee such other powers and duties as it thinks fit, either generally or with respect to any specified work or any works not being executed for the Board by the Government Public Works Department.

II. RULES FOR THE ELECTION OF PRESIDENTS AND VICE-PRESIDENTS OF LOCAL BOARDS:

Under The Government of His Highness the Maharaja are pleased to prescribe the following rules for the election of the President or Vice-President of a Local Board:-

(i) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Local Board or at the meeting held on a day not later than one month from the date of the Government order if the direction was given during the term of the existing Board as the case may be .

(iii) The election shall not be held unless at least half of the total number of members are present at the meeting.

(iv) Any member who desires or is willing to be elected must notify his intention at the meeting and he must be proposed by one and seconded by another member present thereat.

(v) The election shall be decided by a majority of votes of the members present at the meeting and voting. If there is an equal number of votes in favour of each of two or more candidates the selection of one of them shall be made by lot by the presiding authority of the meeting in such manner as the Board at such meeting shall determine

(vi) No vote given by a member for himself shall be counted

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the District.

(viii) The Presiding authority shall also forward under his signature to the Deputy Commissioner ~~of the District~~. minutes of the proceedings of the meeting in which shall be recorded:--

(a) The names of the members present

(b) The names of proposer and seconder of each candidate that stood for election.

~~x(c)~~

(ix) The validity of election may be contested by a petition signed by at least three members and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from the date of election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof and for other sufficient cause

(x) Upon receipt of such petition, the Deputy Commissioner shall enquire personally or by some other officer deputed by him

into the validity of such objection or objections.

(xi) After the expiry of seven days from the date of election or if any petition has been received after the close of an enquiry time into the allegations contained therein, as prescribed in the preceding rule, the Deputy Commissioner should report the proceedings with his opinion to Government who may pass such orders as they may think fit

(xii) In the event of no election being made within the prescribed period, or the member or members elected not being approved the President or the Vice-President or both shall be appointed by Government by nomination.

III. POWERS OF PRESIDENTS AND VICE-PRESIDENTS

(1) (a) The President of a Board shall preside, unless prevented by reasonable cause., at the meetings of the Board;

(b) watch over the financial and executive administration of the Board and submit thm to the Board all questions connected therewith which shall appear to him to require its orders;

(c) exercise supervision and control over the acts and proceedings of all officers and servants of the Board in matters of executive administration, and in matters concerning the monies accounts and records of the Board; and subject to the rules framed by Government under sub-section (1)of Section 31 of the Regulation to dispose of all questions relating to the service of the said officers and servants, and their pay, privileges and allowances;

(d) furnish to the Deputy Commissioner or the Officer to whom the Deputy Commissioner has delegated his powers under sub-section (3) of Section 33 of the Regulation a copy of every resolution passed at any meeting of the Board and any extract from the minute of the Board's proceedings or other document or thing which the Deputy Commissioner may call for under Section 33.

(ii) The President of a Local Board shall have the custody of its proceeding and ~~xxxxxxx~~ records

(iii) The resolution of a Local Board shall be carried into effect by its President, in whom the entire executive power of ~~xx~~ the Board shall be vested. and who shall be directly responsible for the due fulfilment of the purposes of the Local Boards and Village Panchayats Regulation and these Rules.

(iv) It shall be lawful for the President of a Local Board in cases of emergency to direct the execution of any work or the doing of any act which such Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public, and to direct that the expense of executing such work or doing such act. ~~incurred~~ incurred as the emergency may require, shall be paid from the funds at the disposal of such Board; Provided that every direction so given under this rule shall be reported at the next following meeting of the Board.

POWERS OF VICE-PRESIDENTS.

2. As soon as a ~~Vice-President~~ Vice-President is appointed, the President shall, subject to the approval of Government lay down definitely what duties are delegated by him to the Vice-President It shall be the duty of a Vice-President

(a) to exercise these powers under the general control of the President,

(b) ~~In~~ In the absence of the President and unless prevented by reasonable cause to preside at the meetings of the Board; and

(c) pending the succession, appointment or election of a President or during the absence of a President on leave, to exercise the powers and perform the duties of the President.

UNDER CLAUSE (c)

In addition to the duties assigned by Section 10 (i) of the Regulation to Taluk Boards as Corporate bodies any District

(58

District Board may assign by a formal resolution and with the sanction of Government all or any of the following functions to the Taluk Boards within the district:-

(a) Control over markets and slaughter houses.

(b) Control over Dharmasalas and rest houses, and cart-stands

(c) Control over such cattle pounds as are not assigned to Village Panchayats.

(d) Planting and care of avenue trees on roads in the control of Taluk Boards.

(e) Construction and maintenance of such village and other roads as do not fall within the jurisdiction of village Panchayats.

(f) Opening and closing of the Vaidyasalas

(g) Provision of water-supply for drinking purposes in villages not under the control of Village Panchayats

(h) Purchase and maintenance of breeding bulls.

(i) Holding of cattle shows.

(j) Conservancy and Sanitary arrangements at fairs and festivals.

(k) Conservancy and sanitation of areas not within the jurisdiction of village Panchayats (including destruction of snakes and dogs, deportation of monkeys etc.)

(l) V a c c i n a t i o n.

(m) Lighting of public roads.

(n) Making grants-in-aid to Village Panchayats.

2 Any District Board may at its discretion and by a formal resolution and with the sanction of Government assign to the Taluk Boards as agents of the District Board, all or any of the following functions. :-

(a) Control over primary schools.

(b) Control over rural dispensaries (including Veterinary dispensaries.)

(c) Maintenance of public gardens and buildings.

(d) Working out details in connection with the administration of the Irrigation Cess Fund.

(e) Inception of Minor Rural institutions.

(f) Any other function not directly undertaken by the District Board.

UNDER CLAUSE (d.

Contracts to be ordinarily in writing and Stamp and Registration Laws to be complied with.—

1. Contracts entered into by a Local Board, shall ordinarily be reduced to writing, and the provisions of the law relating to stamps and Registration shall be complied with.

Written Contracts to be Signed by President

2. Written contracts shall be signed on behalf of a Local Board by the President.

Mode of Executing transfers of Property

3. Every transfer of immovable property vested in a Board shall be made by an instrument under the common seal, signed by the President, and by two of the members of the Board, and the fact that the transfer is signed with the sanction of Government shall be distinctly expressed.

Authority for payment of money from Local Funds

4. Subject to the provision of section 34, no sum shall be paid out of a Local Fund except upon a cheque signed by the President of the Local Board.

UNDER CLAUSE (e)

The appointment of auditors of the Local Boards of the accounts will be made by the Comptroller and entertained in his office. The charges extra pertaining to this establishment shall, in the first instance, be disbursed from State funds and such portion of these charges as may from time to time, be fixed by Government shall be rateably levied from the several District Boards.

UNDER CLAUSE (f)

One-half of the Local cess levied in a Taluk shall be placed to the credit of the Taluk Board of that Taluk.

(60

2. Any District Board may by a formal resolution and with the sanction of Government assign all or any of the following items of revenue to the Taluk Boards within the District, the assignment of revenue depending on the functions assigned to the Taluk Boards under rules under section 37 clause (c).

(a) Fines and surplus sales proceeds of cattle under the Cattle Trespass Act, 1871. as amended by Regulation VIII of 1880.

(b) Rents and fees leviable under section 38 (a) and (b).

(c) Fees for the temporary temporary use of cart-stands and of markets, market sites, village-sites, and other similar public places on the occasion of fairs and festivals.

UNDER CLAUSE (j), (for the guidance of Committees)

A Committee may elect a Chairman of their meetings, and if no such Chairman is elected, or if he is not present at the time appointed for holding any meeting, the members present shall choose one of their members to be Chairman of such meeting

2. A Committee may meet and adjourn as they think proper, but the President of the Board may whenever he thinks fit, and shall upon the written request of not less than two members of a Committee call a special meeting of such Committee.

3. Questions at any meeting of a Committee shall be decided by a majority of votes of the members present, and in case of an equal division of votes, the Chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the Committee are present from the beginning to the end thereof

4. The minutes shall be kept of the names of the members present and absent and of the Proceedings at each meeting of the Committee, and if any member present at the meting so desires of the names of the members voting respectively for or against any resolution

(61

in a book to be provided for the purpose, which shall be signed, as soon as practicable, by the Chairman of such meeting and shall at all reasonable times be open to inspection by any member of the Board or by any inhabitant of the District.

5. During any vacancy in the ~~council~~ Committee the continuing members may act as if no vacancy had occurred.

(Sd) B Ramaswamy.

Secretary to Government,
Revenue Department.

To

The Compiler, Mysore Gazette, for publication in part III of the Gazette with the request that 300 spare copies may be sent to the Secretariat.

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to... 9754

GENERAL AND REVENUE SECRETARIAT

(L&G)

the 191

Date of issue... 30/5/19

Initialled by B Ramaswamy

Section

File No. 54

Serial No. 1

No. G/15457

Notification

~~To~~

The following correction
Shall be made in the ~~N~~
published under Notn No.
L.15.54.18-8 & the 15th May

(A) Rules under (Cl b)

Heading "I Progs of the m
at L.B.S." Shall
I Progs at the mee
of Local Boards

Rule 10 In line 1 'a' shall
substituted for 'a

Rule 18. The word 'Lorry' s
be substituted fo

over.

(5) in the marginal note, and the
Comma after the word 'Salary'
in the last but one line shall
be omitted

Powers of President & Vice-President:

Rule 1 (b) The Word 'and' shall be inserted
between the words 'privileges' and
allowances' in the last line.

Rule 1 (d) In line 2 'it' shall be
changed to 'he'

Rule 2 (c) The Semi colon after the
word 'Succession' in line
shall be changed to a Comma

Rule under cl (c)

Rule 2 (f) The word 'Board' shall be
substituted for the word

Rule under cl (e) The word 'or' shall be substituted
for under cl (f) for the word 'person' in line 1
after
the word 'Member' in line 1 of
cl (c) shall be omitted

List of enclosures.

Rule under cl (j):

For the word "Members" shall
be substituted for the
word "Members" in line 3

By order

Copied by

Examined by

for Secy to Govt Rev Dept

WD 1944—GPB—80,000—10-5-19

K
3-5-1919.

To The Compiler, Mysore Gazette, for
publication in O & M of the Gazette.

Notification R8711

L.B. 54-18-15

8.4.20

The Govt. of H.H. the Maharaja are pleased to make, ~~the following~~ Rules under sec 23 (iv) of Mysore L.B. & P.C. Act VI of 1918, the following Rules relating to the levy of Tolls upon carriages, Carts and Animals passing along roads and bridges vested in a Local Board

~~*Tolls upon carriages, carts and animals.*~~

60. The levy of tolls upon carriages, carts and animals passing along roads and bridges vested in ~~the~~ District Board shall be governed— Rules to regulate the levy of tolls.

(1) by the provisions, so far as they are applicable, of the "Rules for the Levy of Tolls on Public Roads and Bridges in Mysore" issued under the authority of the Government of India with the Notification of the Chief Commissioner of Mysore, No. 274, dated the 4th November 1876, except Rule 5 (reproduced at foot*); and

(2) by the additional rules set forth below.

These rules were approved by the Legal members Council on 25.1.1921

**Rules for the Levy of Tolls on Public Roads and Bridges in Mysore.*

Whereas it is expedient to authorize the levy of tolls upon roads and bridges in Mysore, the following rules with that object are sanctioned by His Excellency the Viceroy and Governor-General in Council:—

1. The Chief Commissioner of Mysore may from time to time declare the roads on which and the places where tolls shall be taken, and may abolish the collection of tolls on roads on which such tolls have been declared leviable; and may authorize the erection or removal of any toll-bar for the purpose of carrying out the provision of this section.

2. The Chief Commissioner of Mysore may cause such rate of tolls not exceeding those mentioned in the schedule hereto annexed to be levied on any road or bridge in Mysore which has been or shall hereafter be constructed at the expense of the Government of Mysore.

3. In case of non-payment of any such toll on demand, the officers appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part of their burden of sufficient value to defray the toll.

4. If any toll remains undischarged for 24 hours after the property has been seized as stated in the preceding section, the said property shall, after twenty-four hours' notice, exclusive of Sunday or any close holiday, be sold by public auction for discharge of the toll, and all expenses occasioned by such non-payment, seizure and sale, by order of the officer authorized to superintend the collection of the toll, who shall cause any balance that may remain to be returned on demand to the owner of the property. Provided that if at any time before the sale has actually begun tender is made of the amount of all expenses incurred and of double the toll payable, the said officer shall forthwith release the property seized.

5. No toll shall be paid for the passage of troops, or military stores or equipages or of police officers on duty, or of any person or property in their custody, or of any property *bona fide* belonging to Government as established by the production of a certificate from the Head of the Department to which it belongs. And it shall further be

6. The collection of tolls may be placed under the management of persons appointed by the Chief Commissioner, or may be made by the officers of Government; and all persons employed for this purpose shall be liable to the same responsibilities as they would be if employed in the collection of the land revenue. H.H.

The Chief Commissioner may also, under such conditions as he considers advisable, authorize the sale by public auction of the right to collect tolls at all or any of the toll bars.

7. Any person who is not duly appointed as a toll collector who shall levy or demand any toll on any public road or bridge, or who, when duly appointed as such, shall demand more than the rates specified in the schedule, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 200 or to simple or rigorous imprisonment not exceeding six calendar months.

8. A table of the tolls authorized to be taken at any toll-gate or station under these rules, with a statement of the penalties for refusing to pay the same, legibly written in English and the vernacular of the locality, shall be put up in a conspicuous place near such gate or station.

It shall be the duty of the person in charge of such gate or station to keep such table in a proper and legible condition.

9. The net proceeds of the revenue from tolls shall be applied wholly to the construction, repair and maintenance of roads and bridges within the Mysore Province.

10. Any person who fraudulently or forcibly passes any toll-bar without paying the proper toll, or who obstructs the toll-gatherer in the discharge of his duties, shall be liable, on conviction before a Magistrate, to simple or rigorous imprisonment for any term not exceeding three months or to a fine not exceeding 50 rupees.

11. The Chief Commissioner of Mysore is authorized to issue such further orders, from time to time, as he may deem necessary, to regulate the levy of tolls in the Province, provided that such orders are not repugnant to the provisions of these rules.

-20-

REVISED SCHEDULE OF THE MAXIMUM RATES OF TOLL.

	Rs.	A.	P.
1. On every motor car	1	0	0
2. On every motor tricycle or bicycle	0	4	0
3. On every other vehicle of any description propelled by steam or other motor power	1	0	0
4. On every four-wheeled carriage	0	12	0
5. On every two-wheeled carriage on springs other than a jutka or ekka	0	8	0
6. On every ekka or jutka, laden	0	4	0
7. On every ekka or jutka, unladen	0	2	0
8. On every other vehicle with springs including tricycle and bicycle...	0	2	0
9. On every cart or other vehicle not on springs drawn by 8 bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	1	0	0
10. On every cart or other vehicle not on springs drawn by 8 bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	8	0
11. On every cart or other vehicle not on springs drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	8	0
12. On every cart or other vehicle not on springs drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	4	0
13. On every cart or other vehicle not on springs drawn by 4 bullocks, horses, buffaloes, ponies, asses or mules, if laden ...	0	6	0
14. On every cart or other vehicle not on springs drawn by 4 bullocks, horses, buffaloes, ponies, asses or mules, if not laden ...	0	3	0
15. On every cart or other vehicle not on springs drawn by 2 bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	4	0
16. On every cart or other vehicle not on springs drawn by 2 bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	2	0
17. On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden	0	2	0
18. On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden	0	1	0
19. On every buffalo or bullock per head, if laden	0	1	0
20. On every buffalo or bullock per head, if not laden	0	0	6
21. On every elephant	1	0	0
22. On every camel, if laden	0	4	0
23. On every camel, if not laden	0	2	0
24. On every horse, if laden or ridden	0	1	6
25. On every horse, if unladen or unridden	0	0	9
26. On every thattu or mule, if laden or ridden	0	0	9
27. On every thattu or mule, if unladen or led	0	0	6
28. On every ass, if laden or ridden	0	0	6
29. On every ass, if unladen or led	0	0	3
30 On every sheep, goat or pig	0	0	1
31. On every palanquin, dooly, palna or tonjon with two bearers ...	0	2	0
32. On every palanquin, dooly, palna or tonjon with more than two bearers	0	4	0

N.B.—Animals drawing any vehicle for which toll can be demanded are not also to be charged with toll.

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Notification of levy of tolls.

61. On the levy of tolls being sanctioned by Government, the District Board shall cause a notification to be published in the *Mysore Gazette*, specifying the places where, the date from which, and the rates at which, the tolls shall be levied.

Toll-gates to be erected.

62. The District Board shall thereupon construct toll-bars, gates and gate-keepers' stations at the places aforesaid, and may place the collection of such tolls under the management of such persons as may appear to it proper, or may lease out the same, and may frame bye-laws for the guidance of toll-collectors.

Composition for tolls and issue of licenses.

63. The District Board may compound with any person for a sum to be paid annually or half-yearly in lieu of all such tolls either generally in respect of all roads and bridges in the district vested in the District Board or specially in respect of any particular road or bridge and may issue licenses to any such person in respect of his carriages, carts and animals; provided always that such composition shall include all the carriages, carts and animals possessed by the person compounding.

No tolls to be levied in certain cases.

64. (i) No tolls shall be levied for the passage of carriages, carts or animals—

(*a*) belonging to Local Boards,

(*b*) conveying District Fund servants on duty, or property in the custody of such servants,

(*c*) licensed by the District Board, during the period for which they have been licensed, or

(*d*) engaged by the Postal Department to convey mails,

(*e*) belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowances.

(ii) No toll shall be levied for the passage of troops or Military Stores or equipages or of Police officers on duty or of any person or property in their custody or of any property *bonâ fide* belonging to Government as established, where proof is required by the production of a pass or certificate from an officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed, before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate.

Payment of tolls at one gate or bridge may clear carriages, etc. at any other gate or bridge.

65. With the sanction of Government it may be declared that payment of tolls on carriages, carts or animals at any gate or bridge shall clear such carriages, carts or animals at any other gate or bridge specified.

Tolls not to be levied in the absence of table of tolls prescribed.

66. When the table of tolls prescribed in Rule 8 of the rules published with the Chief Commissioner's Notification No. 274, dated 4th November 1876, is not put up at any toll-bar, gate or station, no tolls shall be levied thereat during such time.

A single payment to clear gate for any one day.

8. No more than one payment of toll shall be demanded at any one toll-bar, gate or station in respect of any carriage, cart or animal in any one period of twenty-four hours counted from sunrise to sunrise. Provided that when toll has been paid at any toll-bar, gate or station in respect of any carriage, cart, or animal not laden or unridden, the difference between such toll and the toll payable in respect of such carriage, cart, or animal laden or ridden shall be payable if such carriage, cart, or animal, again passes through such toll-bar, gate or station, laden or ridden, within such period.

Receipts.

9. When payment of any toll is made, a receipt shall be granted by the person to whom the payment is made in such form as the District Board may, from time to time, prescribe.

Police to assist toll-collectors.

10. In all cases of resistance to the lawful authority of the toll-collectors appointed under these rules, all police officers shall assist the toll-collectors, when required, and, for that purpose, shall have the same power which they have in the execution of their ordinary police duties.

By order

Secy to Govt Rev Dept

To

The Compiler, Mysore Gazette for publication in the Gazette with the request that 300 spare copies may be sent to the Secy

R 8712-9

copies to the Presidents DC Bds & DCs.

300

(67)

REVENUE.

No. R. 8711—*L. B.* 54-18-15, *dated 4th February* 1920.

The Government of His Highness the Maharaja are pleased to make, under Section 23 (1) (iv) of the Mysore Local Boards and Village Panchayets Regulation VI of 1918, the following rules:—

Rules to regulate the levy of tolls.

The levy of tolls upon carriages, carts and animals passing along roads and bridges vested in the District Board shall be governed—

(1) by the provisions, so far as they are applicable, of the Rules for the levy of tolls on public roads and bridges in Mysore, issued under the authority of the Government of India, with the Notification of the Chief Commissioner of Mysore, No. 274, dated the 4th November 1876, except Rule 5, (reproduced at foot*); and

(2) by the additional rules set forth below:—

* Rules for the levy of tolls on public roads and bridges in Mysore.

Whereas it is expedient to authorise the levy of tolls upon roads and bridges in Mysore, the following rules with that object are sanctioned by His Excellency the Viceroy and Governor-General in Council:—

1. The Chief Commissioner of Mysore may from time to time declare the roads on which and the places where tolls shall be taken and may abolish the collection of tolls on roads on which such tolls have been declared leviable: and may authorise the erection or removal of any toll-bar for the purpose of carrying out the provision of this section.

2. The Chief Commissioner of Mysore may cause such rate of tolls not exceeding those mentioned in the Schedule hereto annexed to be levied on any road or bridge in Mysore, which has been or shall hereafter be constructed at the expense of the Government of Mysore.

3. In case of non-payment of any such toll on demand, the officers appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part of their burden of sufficient value to defray the toll.

4. If any toll remains undischarged for 24 hours after the property has been seized as stated in the preceding section, the said property shall, after 24 hours' notice exclusive of Sunday or any close holiday, be sold by public auction for discharge of toll and all expenses occasioned by such non-payment, seizure and sale, by order of the officer authorised to superintend the collection of the toll, who shall cause any balance that may remain to be returned on demand to the owner of the property. Provided that if at any time before the sale has actually begun tender is made of the amount of all expenses incurred and of double the toll payable, the said officer shall forthwith release the property seized.

5. No toll shall be paid for the passage of troops, or military stores or equipages or of police officers on duty, or of any person or property in their custody or of any property *bona-fide* belonging to Government as established by the production of a certificate from the head of the department to which it belongs. And it shall further be lawful for the Government of His Highness the Maharaja to grant and define other exemptions from payment of the tolls levied under the rules.

6. The collection of tolls may be placed under the management of persons appointed by the Chief Commissioner, or may be made by the officers of Government and all persons employed for this purpose shall be liable to the same responsibilities as they would be if employed in the collection of the land revenue.

The Chief Commissioner may also, under such conditions as he considers advisable authorise the sale by public auction of the right to collect tolls at all or any of the toll bars.

7. Any person, who is not duly appointed as a toll collector, who shall levy or demand any toll on any public road or bridge or who, when duly appointed as such shall demand more than the rates specified in the schedule shall be liable on conviction before a Magistrate, to a fine not exceeding Rs. 20 or to simple or rigorous imprisonment not exceeding six calendar months.

8. A table of the tolls authorised to be taken at any toll-gate or station under these rules with a statement of the penalties, for refusing to pay the same, legibly written in English and the vernacular of the locality, shall be put up in a conspicuous place near such gate or station.

It shall be the duty of the person in charge of such gate or station to keep such table in a proper and legible condition.

9. The net proceeds of the revenue from tolls shall be applied wholly to the construction, repair and maintenance of roads and bridges within the Mysore Province.

10. Any person who fraudulently or forcibly passes any toll-bar without paying the proper toll, or who obstructs the toll gatherer in the discharge of his duties, shall be liable on conviction before a Magistrate, to simple or rigorous imprisonment for any term not exceeding three months or to a fine not exceeding Rs. 50.

11. The Chief Commissioner of Mysore is authorised to issue such further orders from time to time as he may deem necessary to regulate the levy of tolls in the Province provided that such orders are not repugnant to the provisions of these rules.

Schedule of the maximum rates of toll.

1.	On every motor car			
2.	On every motor tricycle or bycycle			
3.	On every other vehicle of any description propelled by steam or other motor power			
4	On every four wheeled carriage	1	0	0
5	On every two-wheeled carriage on springs other than a jutka or ekka	0	12	0
6	On every ekka or jutka, laden	0	8	0
7.	On every ekka or jutka, unladen	0	4	0
8.	On every other vehicle with springs including tricycle and bicycle	0	2	0
9	On every cart or other vehicle not on springs drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	12	0
10	On every cart or other vehicle not on springs drawn by 8 bullocks buffaloes, horses, ponies, asses or mules, if not laden		0	0
11	On every cart or other vehicle not on springs drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if laden			0
12	On every cart or other vehicle not on springs drawn by 6 bullocks buffaloes, horses, ponies, asses or mules, if not laden		8	0
13	On every cart or other vehicle not on springs drawn by 4 bullocks horses, buffaloes, ponies, asses or mules, if laden	0		
14	On every cart or other vehicle not on springs drawn by 4 bullocks horses, buffaloes, ponies, asses or mules, if not laden		6	0
15	On every cart or other vehicle not on springs drawn by 2 bullocks buffaloes, horses, ponies, asses or mules, if laden	0	8	0
16	On every cart or other vehicle not on springs drawn by 2 buffaloes, bullocks, horses, ponies, asses or mules, if not laden	0	4	0
17.	On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden	0	2	0
18.	On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden	0	1	0
19.	On every buffalo or bullock per head, if laden	0	1	0
20.	On every buffalo or bullock per head, if not laden	0	0	6
21.	On every elephant	1	0	0
22.	On every camel, if laden	0	4	0
23.	On every camel, if not laden	0	2	0
24.	On every horse, if laden or ridden	0	1	6
25.	On every horse, if unladen or unridden	0	0	9
26.	On every thattu or mule, if laden or ridden	0	0	9
27.	On every thattu or mule, if unladen or led	0	0	6
28.	On every ass, if laden or ridden	0	0	6
29	On every ass, if unladen or led	0	0	3
30	On every sheep, goat or pig	0	0	1
31	On every palanquin, dooly, palna or tonjon with two bearers	0	2	0
32	On every palanquin, dooly, palna or tonjon with more than two bearers	0	4	0

N.B.—Animals drawing any vehicle for which toll can be demanded are not also to be charged with toll.

Notification of levy of tolls.

2. On the levy of tolls being sanctioned by Government, the District Board shall cause a notification to be published in the *Mysore Gazette*, specifying the places where, the date from which and the rates at which the tolls shall be levied.

Toll gates to be erected.

3. The District Board shall thereupon construct toll-bars, gates and gate keepers' stations at the places aforesaid and may place the collection of such tolls under the management of such persons as may appear to it proper, or may lease out the same, and may frame bye-laws for the guidance of toll collectors.

4. The District Board may compound with any person for a sum to be paid annually or half-yearly in lieu of all such tolls either generally in respect of all roads and bridges in the district vested in the District Board or specially in respect of any particluar road or bridge and may issue licenses to any such person in respect of his carriages, carts and animals provided always that such composition shall include all the carriages, carts and animals possessed by the person compounding.

Compensation of toll and issue of licenses.

5. (i) No tolls shall be levied for the passage of carriages, carts or animals.—

No tolls to be levied in certain cases.

(*a*) belonging to Local Boards;

(*b*) conveying District Fund servants on duty or property in the custody of such servants;

(*c*) licensed by the Local Board during the period for which they have been licensed or;

(*d*) engaged by the Postal Department to convey mails;

(*e*) belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowances;

(*f*) belonging to the Hon'ble the British Resident in Mysore.

(ii) No toll shall be levied for the passage of troops or military stores or equipages or of police officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required by the production of a pass or certificate from an officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed, before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate.

6. With the sanction of Government it may be declared that payment of tolls on carriages, carts or animals at any gate or bridge shall clear such carriages carts or animals at any other gate or bridge specified.

Payment of tolls at one gate or bridge may clear carriages, etc., at any other gate or bridge.

7. When the table of tolls prescribed in Rule 8 of the rules published with the Chief Commissioner's Notification No. 274, dated 4th November 1876 is not put up at any toll-bar, gate or station, no tolls shall be levied thereat during such time.

Tolls not to be levied in the absence of table of tolls prescribed.

8. No more than one payment of toll [illegible] demanded at any one toll-bar, gate or station in respect of any carriage, cart or animal in any one period of twenty-four hours counted from sunrise to sunrise. Provided that when toll has been paid at any toll-bar, gate or station in respect of any carriage, cart, or animal not laden or unridden, the difference between such toll and the toll payable in respect of such carriage, cart, or animal laden or ridden shall be payable if such carriage, cart, or animal, again passes through such toll-bar, gate or station, laden or ridden, within such period.

A single payment to clear gate for any one day.

9. When payment of any toll is made, a receipt shall be granted by the person to whom the payment is made in such form as the District Board may from time to time prescribe.

Receipts.

10. In all cases of resistance to the lawful authority of the toll collectors appointed under these rules, all police officers shall assist the toll collectors, when required, and, for that purpose, shall have the same power which they have in the execution of their ordinary police duties.

Police to assist toll collectors.

By Order,
B. RAMASWAMAIYA,
Secretary to Government,
Revenue Department.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

Bangalore, Dated 27 *1919.*

No.

NOTIFICATION.

The following corrections shall be made in the rules published under Notification No.11758/L.B.54-18-8 dated the 15th March 1919.

(A) Rules under (Clause b).

Heading - "I Proceedings of the meeting at Local Boards should be "I Proceedings at the meeting of Local Boards".

Rule 10.- In line 1 'a' shall be substituted for 'any'

Rule 18.- The word 'works' shall be substituted for 'work' in the marginal note, and the comma after the word 'Government' in the last but one line shall be omitted.

III Powers of Presidents and Vice Presidents.

Rule 1 (c) The word 'and' shall be inserted between the words 'privileges' and 'allowances' in the last line.

Rule 1 (d) In line 2 'its' shall be changed to 'his'.

Rule 2 (c) The Semi-colon after the word 'succession' in line 1 shall be changed to a comma.

(B) Rules under Clause (c)

Rule 2 (f) The word 'Board' shall be substituted for the word 'Fund'

(C) Rules under Clause (e)

The word 'of' shall be substituted for the word 'in' after the word 'portion' in line 4

(D) Rules under Clause (f)

The word 'of' before the word 'markets' in line 1 of clause (c) shall be omitted.

(E) Rules under Clause (j)

The word " member" shall be substituted for the word "members" in line 3.

By Order,

Secretary to Government,
Revenue Department.

To

The Compiler, Mysore Gazette for publication in Part III of the Gazette

SRR-4-